

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

344 PROVIDENCE ROAD REALTY
TRUST, RICHARD J. WUNSCHEL,
and NAUTILUS INSURANCE COMPANY,

Plaintiffs,

v.

AMERICAN SAFETY RISK RETENTION
GROUP, INC. and ARCHITECTURAL
DELEADING, INC.,

Defendants

CIVIL ACTION NO.: 04-40197-FDS

**ASSENTED-TO MOTION TO EXTEND THE TIME FOR
WUNSCHEL AND THE REALTY TRUST
TO RESPOND TO INTERROGATORIES**

The plaintiffs, 344 Providence Road Realty Trust (“the Trust”) and Richard Wunschel (“Wunschel”), and the defendants, American Safety Risk Retention Group, Inc., (“Risk Retention”) hereby join together to request that this Court extend the deadline for Wunschel and the Realty Trust to respond to the interrogatories of Risk Retention to July 22, 2005. As grounds for this motion, the parties state:

1. On March 29, 2005, this Court issued a Scheduling Order in this matter, which provided for a timetable for discovery. Specifically, under Phase 1 of the Scheduling Order, interrogatories and requests for the production of documents were to be served by May 20, 2005. Answers to initial interrogatories were to be served by July 8, 2005.
2. On May 24, 2005, the plaintiffs received the interrogatories and requests for production of documents of Risk Retention, dated May 20, 2005. The plaintiffs have responded to the requests for production of documents, and Nautilus Insurance Company has answered the

interrogatories. The only outstanding matter is Wunschel and the Trust's joint answers to interrogatories.

3. The answers of Wunschel and the Trust to Risk Retention's interrogatories are to be signed by Mr. Wunschel, as he is the sole trustee of the Trust. Due to an apparent miscommunication, Mr. Wunschel left on vacation before signing his answers to interrogatories. He is unavailable until at least July 20, 2005.

WHEREFORE, for good cause shown and in the interests of justice and judicial economy, the parties respectfully request that the time for Wunschel and the Trust to serve their answers to Risk Retention's interrogatories be extended to July 22, 2005.

The plaintiffs,

344 PROVIDENCE ROAD REALTY TRUST,
and RICHARD WUNSCHEL

By their attorneys:

SMITH & DUGGAN LLP

The defendant,

AMERICAN SAFETY RISK RETENTION
GROUP, INC.

By its attorneys:

CLARK, HUNT & EMBRY

/s/ Christina Schenk-Hargrove
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Dated: July 14, 2005

CERTIFICATE OF SERVICE

The undersigned certifies service of the foregoing on July 14, 2005, in accordance with Federal Rule of Civil Procedure 5(b)(2)(D) and United States District Court for the District of Massachusetts Electronic Case Filing Administrative Procedure § E(2) as all parties, having appeared in this action through counsel admitted to practice before this Court, have been identified by the Clerk as receiving Notice of Electronic Filing.

/s/ Christina Schenk-Hargrove
Christina Schenk-Hargrove (BBO No. 645164)